

Utilities Access to Road and Rail Corridors: Side letter between NZUAG and ONTRACK

A Statement of Intent is being signed between Local Government New Zealand, Network Utility Operators, Transit New Zealand and ONTRACK to enable a number of issues relating to utilities in road and rail corridors to be addressed. (See attached.) This is a side letter to that Statement of Intent.

The project is essentially about developing a national code of practice for utilities working in the transportation corridor and it is being managed under the auspices of NZUAG. A Directors Group has been established which will liaise with the Ministry of Economic Development (MED), agree overall direction, process, and timelines – and document agreed decisions. ONTRACK has a representative on the Directors Group.

The Directors Group will report to NZUAG monthly and to MED as required.

The Directors Group will, inter alia, document issues where consensus is agreed/not agreed and present the outputs to NZUAG for approval.

It is acknowledged that the situation relating to access to rail corridors is significantly different to that applying to roads since whether or not utilities may access the rail corridors is presently solely at the discretion of ONTRACK. This recognises the unique nature of these corridors as exclusively for the purposes of rail and reflects the fact that no one may access the land comprising the rail corridors for **any** purpose (whether rail or other) except by specific agreement with ONTRACK.

While ONTRACK wishes to participate in the project it also reserves the right to disagree with the recommendations of the Directors Group and to refer any issues arising from the Directors Group to its management, Board and if necessary to the Minister of Railways for consideration. Any areas of the proposed code that are unacceptable to ONTRACK will be clearly documented and the reasons for those concerns explained.

The NZUAG recognises ONTRACK's ability to disagree and/or make such referrals.



David Fraser
Chairman NZUAG



David George
Chief Executive
ONTRACK

(Attach copy of SoI)